

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

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In Re:

Tony C. Williams

Case No: 21-17869-MBK

Hearing Date: 12/08/2021 at 10:00 AM

Chapter: 13

Judge: Michael B. Kaplan

**OBJECTION TO CONFIRMATION OF THE PLAN**

Carvana, LLC (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor (“Debtor”), as follows:

1. As of the bankruptcy filing date of October 8, 2021, Movant holds a secured Claim against the Debtor’s Vehicle, a 2014 Mercedes-Benz E Class, VIN #WDDHF8JB7EA853258 (the “Vehicle”).
2. On October 11, 2021, Movant filed a Proof of Claim citing a total secured claim in the amount of \$18,238.24, and an interest rate of 16.43%.
3. The Plan proposes to modify the value of the Vehicle to \$10,160.00 and interest rate to 5%. The current value of the Vehicle is \$16,675.00 (“NADA Clean Value”).
4. The Plan violates 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.
5. Any attempt by the Debtor to modify any portion of this Contract with Movant should be denied.

6. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

HLADIK, ONORATO & FEDERMAN, LLP

Date: 10/25/2021

/s / Karina Velter, Esquire  
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